

Town of Provincetown

Office of the Town Clerk



Town Hall, 260 Commercial Street
Provincetown, Massachusetts 02657
Fax: 508-487-9560
Telephone: 508-487-7013

Article Number: 32

Date: April 12, 1977

Headline: Town Officials Protected Against Lawsuits

ARTICLE 32: To see if the Town will vote to accept section 100 of Chapter 41 of the General Laws which provides that the Town shall indemnify and save harmless municipal officers, elected or appointed, from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed \$1 million, arising out of any claim, demand, suit or judgment by reason of any act or omission including a violation of the civil rights of any person under any federal law, if the official at the time of such act or omission was acting within the scope of his official duties or employment. (Requested by the Board of Selectmen) Reserve Recommendation. Paul Christo of the Finance Committee said that in light of the fact monies were voted in the budget last week to cover this, the Finance Committee recommends.

Miss Avellar moved the article as read. Mr. Killoran stated this motion should be passed. Town officials act in a very complex society. There are many opportunities for suit, and Town officials should be offered protection of this law.

So voted.

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Article Number: 20

Date: April 11, 1978

Headline: Harbormaster Protected Against Damages

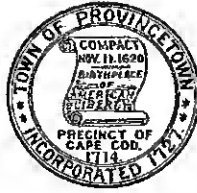
ARTICLE 20. To see if the Town will vote to accept Section 100F of Chapter 41 of the General Laws which provides that the Town shall indemnify and save harmless the harbor master of said town for expenses or damages against him arising out of acts done by him while acting in his capacity as harbor master, provided, that after investigation, it shall appear that such harbor master was at the time the cause of action or claim arose acting within the scope of his employment; and provided, further, that the defense or settlement of any action or claim for which indemnification is sought under this section shall have been made by the Town Counsel upon the request of said harbor master and at the direction of the Selectmen. (Requested by the Board of Selectmen). Not Recommended. Ms. Avelar moved

Article 20 as read.

Passed.

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Article Number: 24

Date: April 10, 1979

Headline: Injured Police Officer's Medical Bills to be Paid

Mr. Cobb moved that the Town vote to raise and appropriate the sum of \$4,255.11 for the purpose of indemnifying a Police officer for his reasonable hospital, medical, surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for chiropody (podiatry) incurred as the natural and proximate result of an accident occurring while acting in the performance and within the scope of his duty without fault of his own, as certified by the Town Manager under the provisions of Section 100 of Chapter 41, of the General Laws. Mr. Cobb stated that Officer John Henderson was quite seriously injured in the performance of his duties in the Fall of 1977. He sustained back injuries which had incapacitated him ever since that time. Mr. Henderson has been visiting Doctors in both Hyannis and Boston in an attempt to diagnose the problem and to cure it. There is a statute which authorizes the Town Manager to ask the Town Meeting to appropriate a sum of money sufficient to cover medical bills incurred when a Town Employee suffers a disability or accident in the course of his duty, he stated. He indicated that he was making such a request at the present time. He noted that the total amount of Mr. Henderson's bills were more than \$7,000 but some of the expenses had been paid through insurance and the Town Manager was requesting the balance due. The motion was carried by majority vote.

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Article Number:

Date: April 21, 1981

Headline: Voters Approve Acceptance of Mass. Laws Protecting Officials from Personal Suits

[BALLOT] QUESTION 1: Shall the town vote to accept the provisions of section thirteen of chapter two hundred and fifty-eight of the General Laws which provides that the town shall indemnify and save harmless municipal officers, elected or appointed, from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, demand, suit or judgment by reason of any act or omission except as intentional violation of civil rights of any person under the law, if the official at the time of such act or omission was acting within the scope of his official duties or employment? YES 350, NO 185, NO OPINION 124, BLANKS 101.